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FILED  
DISTRICT COURT  
2020 JAN -8 P 12:58  
DISTRICT OF UTAH  
SEAL  
BY: DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ORLANDO JOHN HAYES,

Defendant.

**INDICTMENT**

VIOS.

21 U.S.C. § 841(a)(1) – Possession of  
Methamphetamine with Intent to  
Distribute [Count I];

21 U.S.C. § 841(a)(1) – Possession of  
Heroin with Intent to Distribute  
[Count II].

The Grand Jury charges:

Case: 1:20-cr-00002  
Assigned To : Barlow, David B.  
Assign. Date : 1/8/2020  
Description:

**COUNT I**

**21 U.S.C. § 841(a)(1)**

**(Possession of Methamphetamine with Intent to Distribute)**

On or about August 23, 2019 in the Northern Division of the District of Utah,

**ORLANDO JOHN HAYES,**

the defendant herein, did knowingly and intentionally possess with intent to distribute  
five (5) grams or more of methamphetamine, a schedule II controlled substance within

the meaning of 21 U.S.C. § 812, in violation of 21 U.S.C. § 841(a)(1), and punishable pursuant to 21 U.S.C. § 841(b)(1)(B).

**NOTICE OF SENTENCING ENHANCEMENT**

Pursuant to 21 U.S.C. § 851(a)(1), the Defendant may be subject to increased punishment as a result of the following prior felony conviction and subsequent sentence to a "Serious drug felony" as defined in 21 U.S.C. § 802(57) and 18 U.S.C. § 924(e)(2) to wit:

Possession of a Controlled Substance with Intent to Distribute, a 2<sup>nd</sup> degree felony; 2<sup>nd</sup> District Court-Ogden; case: 141902595. The Defendant was sentenced to the Utah State Prison on August 31, 2015 and served 637 days.

**COUNT II**

**21 U.S.C. § 841(a)(1)**

**(Possession of Heroin with Intent to Distribute)**

On or about August 23, 2018 in the Northern Division of the District of Utah,

**ORLANDO JOHN HAYES,**

the defendant herein, did knowingly and intentionally possess with intent to distribute a mixture or substance containing a detectable amount heroin, a schedule I controlled substance within the meaning of 21 U.S.C. § 812, in violation of 21 U.S.C. § 841(a)(1), and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

**NOTICE OF SENTENCING ENHANCEMENT**

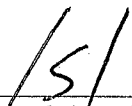
Pursuant to 21 U.S.C. § 851(a)(1), the Defendant may be subject to increased punishment as a result of the following prior felony conviction and subsequent sentence

to a "Serious drug felony" as defined in 21 U.S.C. § 802(57) and 18 U.S.C. § 924(e)(2) to wit:

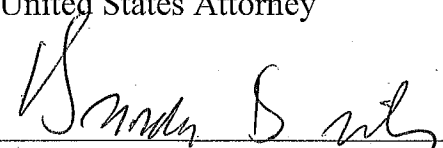
Possession of a Controlled Substance with Intent to Distribute, a 2<sup>nd</sup> degree felony; 2<sup>nd</sup>

District Court-Ogden; case: 141902595. The Defendant was sentenced to the Utah State Prison on August 31, 2015 and served 637 days.

A TRUE BILL:

  
\_\_\_\_\_  
FOREPERSON of the GRAND JURY

JOHN W. HUBER  
United States Attorney

  
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BRANDEN B. MILES  
Special Assistant United States Attorney